



Town of Micro
Planning Board **AGENDA**
Tuesday – March 28, 2023
7:00 p.m.

1. CALL TO ORDER

- a. Call to Order
- b. Pledge of Allegiance
- c. Invocation

2. DETERMINATION OF QUORUM

3. ADOPTION / ADJUSTMENT OF AGENDA

- a. Adjustment(s) of Agenda
- b. Adoption of Agenda

POTENTIAL ACTION: Adoption of Agenda

4. INTRODUCTION & OATH OF NEW MEMBERS

- a. Gary Wheeler – ETJ Member – Term Expires 2/28/2026
- b. John Schullery – In-Town Member – Term Expires 2/28/2025

5. MINUTES

- a. [February 28, 2023 DRAFT Minutes](#)

POTENTIAL ACTION: Adoption of Minutes

6. OLD BUSINESS

- a. Sebastian Zoning Request
 - i. Stick Built Home – NC Pin #263507-69-2234
This item has been continued from previous meeting(s).

7. NEW BUSINESS

- a. Special Use Permit
 - i. Temporary Double Wide Manufactured Home – 000 E. Fayetteville St. - R-15 Zoning

POTENTIAL ACTION: Recommendation of Approval or Denial to Board of Commissioners

8. ADJOURNMENT

- a. Adjourn the Meeting

POTENTIAL ACTION: Motion to Adjourn



1. CALL TO ORDER

- a. Call to Order
- b. Pledge of Allegiance
- c. Invocation

The meeting was called to order at 7:06 p.m. Everyone recited the Pledge of Allegiance and Mr. LC Smith offered the Invocation.

2. DETERMINATION OF QUORUM

A quorum was noted with the following members in attendance: Chad Holloman, Chuck Warren, Garrett Mitchell, Cory Hartsfield & Byron Smith. Board Member Flemer was absent.

3. INTRODUCTION & OATH OF NEW MEMBERS

- a. Chad Holloman
- b. Thaddeus “Byron” Smith

Mr. Holloman and Mr. Smith introduced themselves. They were both issued the Oath of Office by Kimberly Moffett, Interim Town Clerk.

4. ELECTION OF OFFICERS

- a. Chair
- b. Secretary

Board Member Hartsfield nominated Garrett Mitchell to serve as Chair of the Planning Board. This term will be for one year. There were no other nominations.

Board Member Warren nominated Chad Holloman to serve as Secretary of the Planning Board. This term will be for one year. There were no other nominations.

ACTION: Nomination of Garrett Mitchell as Chair of the Planning Board

Motion: Board Member Hartsfield

Second: Board Member Smith

Vote: Unanimous

ACTION: Nomination of Chad Holloman as Secretary of the Planning Board

Motion: Board Member Warren

Second: Board Member Smith

Vote: Unanimous

5. MINUTES

a. January 24, 2023 DRAFT Minutes

ACTION: Adoption of Minutes as Presented

Motion: Board Member Hartsfield
Second: Board Member Warren
Vote: Unanimous

6. OLD BUSINESS

- ### a. Sebastian Zoning Request
- i. Stick Built Home – NC Pin #263507-69-2234
This item had been continued from previous meeting(s).

Mr. Sebastian was not in attendance. There was brief discussion, and it was stated that Mr. Smith had been in contact with Mr. Sebastian recently and Mr. Sebastian stated he was still waiting on inspectors from Johnston County. It was agreed that Ms. Moffett would contact Mr. Sebastian to see if he preferred to continue to have this item added to future agendas and continue to table the item or if he preferred, he could advise when he was ready to have the item added back to a future agenda.

7. NEW BUSINESS

- ### a. Proposed Text Amendment
- i. Section 2-103-2 – Notice of Hearings
 - ii. Section 2-105-4 – Special Use Permits /QJ Hearing Required
 - iii. Section 2-112-4 – Legislative Hearing & Notice Requirements

Ms. Moffett stated she was presenting these amendments to the Zoning Ordinance. She stated currently the ordinance reads that mailed notice in both Quasi-Judicial and Legislative hearings require that letters be sent out to residents within a 500' radius and further that these letters be sent out certified first-class mail with return receipt requested. Ms. Moffett advised the cost of sending notification via certified mail was very expensive and further there was no statutory requirement to send the notification via certified mail. Ms. Moffett also shared the standard area of property owner notification is 100'. There was brief discussion and it was agreed that the proposed amendments would change the ordinance language in above sections to read "when mailed notice is required, it shall be sent by first class mail" and "mailed notice shall be sent to owners within a 100-foot radius".

ACTION: Recommend Amendments to Board of Commissioners

Motion: Board Member Smith
Second: Board Member Hartsfield
Vote: Unanimous

- b. Rezoning Application – Request to Rezone from RA to CH

i. 4 Parcels located on Oak Grove Inn Road/ Pickle Road / Jacksonville Lane

Ms. Moffett stated an application to rezone of the above parcels was recently received. She further advised that when the property owner purchased the property back in 2006, he was advised the zoning was Commercial Highway (CH). Additionally, he was given a document from the Town of Micro that showed the zoning was Commercial Highway (CH). However, it appears that the proper documents were not created nor filed with the county to change GIS files and maps.

Mr. Wheeler, the applicant, was present. Mr. Wheeler shared additional information about the request. He stated he was not aware that his property was not zoned as Commercial Highway (CH) until he recently saw a town zoning map and noticed his property was shown as Residential Agricultural (RA) zoning and not Commercial Highway (CH) as he was told and believed it to be. He stated upon recent conversation with staff at the town, it was discussed and suggested the best course of action would be to proceed with the rezoning at this time to ensure all the correct documentation was created, filed and recorded. Mr. Wheeler did share that he was working with his attorney to change the deed on a portion of his parcel, NC Pin #263600-95-4173. A small portion of that parcel will remain Residential Agricultural (RA), as it is directly adjacent to 3 other parcels, also currently zoned RA, and these three parcels currently have mobile homes on them. Mr. Wheeler stated the small portion of the above parcel also has a brand-new mobile home.

There was discussion and it was the consensus of the Planning Board that recommendation to the Board of Commissioners be that rezoning request be granted. It was further agreed that Mr. Wheeler will provide an updated map of the parcel that will be removed from the requested rezoning to Commercial Highway (CH) and remain as Residential Agricultural (RA) as soon as he had it available.

The Planning Board offered their thanks and appreciation to Mr. Wheeler. Mr. Wheeler stated he appreciated the efforts of the Planning Board.

Ms. Moffett stated there would be a public hearing held at the March 14, 2023 Board of Commissioners meeting for the rezoning request.

ACTION: Recommend Approval to Board of Commissioners

Motion: Board Member Hartsfield

Second: Board Member Smith

Vote: Unanimous

8. OTHER

Mr. LC Smith was present and provided a copy of a suggested text amendment to the Planning Board regarding fence setback. Currently the code calls for a 2' setback for fencing but also allows fencing to be placed on property line with written consent of adjacent property owner.

Mr. Smith provided copies of codes of neighboring municipalities and stated setbacks were less than Micro. He would like to see the Micro Code amended to reduce the required set back.

There was lengthy discussion regarding this amendment. There was concern that reducing the setback could leave to controversy between neighbors with reference to maintenance of property, etc. There was also concern that if there were an agreement between current property owners at the time the fence was installed and placed on the property line, would such an agreement run with the land or is that simply an agreement between current owners. It was agreed that members of the board preferred to consider this suggestion before making any recommendation for change.

Everyone thanked Mr. Smith for bringing this matter to the Board.

9. ADJOURNMENT

a. Adjourn the Meeting

With there being nothing further the meeting was adjourned at 8:04 p.m.

<u>ACTION:</u>	Motion to Adjourn
Motion:	Board Member Warren
Second:	Board Member Hartsfield
Vote:	Unanimous

Duly adopted this the 28th day of March 2023 while in regular session.

Garrett Mitchell
Chair
Micro Planning Board

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk